

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS P. RICHARD, SR.,)	
Petitioner,)	
)	
vs.)	Civil Action No. 09-1628
)	
DAVID DIGUGLIELMO, et al.,)	
Respondents.)	

O R D E R

AND NOW, this 29th day of January, 2010, after the petitioner, Thomas P. Richard, Sr., filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by petitioner which do not raise meritorious issues concerning the Report and Recommendation, and upon independent review of the petition and the record and upon consideration of the magistrate judge's Report and Recommendation (Docket No. 10), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner (Docket No. 1) is transferred to the United States Court of Appeals for the Third Circuit forthwith as a successive petition pursuant to 28 U.S.C. § 1631.

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc: Thomas P. Richard, Sr.
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